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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,764	12/06/2006	Niaz Irekovich Akishev	290323US41X PCT	8396

22850 7590 02/26/2010
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

BESLER, CHRISTOPHER JAMES

ART UNIT	PAPER NUMBER
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3726

NOTIFICATION DATE	DELIVERY MODE
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02/26/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/579,764	Applicant(s) AKISHEV ET AL.	
	Examiner CHRISTOPHER BESLER	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 2, 4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/18/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 2 - 5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 4 and 5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Each of these claims requires the zigzag and saw-tooth lines to be perpendicular to each other. Other than the requirement that the zigzag and saw-tooth lines must intersect each other, no guidance as to the angular relation between the zigzag and saw-tooth lines were given. Furthermore, applicant's embodiment in Figure 2 suggests that the angular relation between the zigzag lines (elements 3 and 4) and the saw-tooth lines (element 5) are not perpendicular.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

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applicant regards as the invention. These claims are each drawn to a method of producing sandwich panels with a corrugated core. However, while the claims include the steps of crimping and punching the core, the claims do not include the steps of bringing the outer panel skins and core together, thus forming a sandwich panel as recited in the preamble. As currently drafted, the claims provide a method to form a corrugated core and outer panel skins, but not a sandwich panel.

Allowable Subject Matter

6. Claim 2 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

7. Claim 3 is allowed.

8. The following is a statement of reasons for the indication of allowable subject matter: Ellen (U.S. Patent 5,069,008) teaches a method for production of panels (abstract), the method comprising: marking bending lines on a sheet blank, the bending lines including zigzag and saw-tooth lines (Figure 1, lines 1-6-3 and 2-6-4; column 2, lines 25 – 35); obtaining a crimp profile of the core by bending said sheet blank along said zigzag lines and said saw-tooth lines (Figure 1; column 2, lines 21 – 23), said zigzag lines and said saw-tooth lines intersecting each other (Figure 2, point 6; column 2, lines 32 – 35); and forming a 3-D structure having a height as a function of lengths of said zigzag lines (Figure 1, angle θ_1 ; column 2, lines 45 – 47). Note that this can be found because Ellen teaches angle θ_1 , or angle 5-1-6 along the zigzag line, being a set value. Because of this, the longer the zigzag line (i.e. line 1-6) is, the higher the height of the core, or line 6-5, will be. Therefore, Ellen teaches the height of the panel as being

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a function of the length of the zigzag line. However, Ellen does not teach either connecting the panel with outer panel skins nor does it teach punching a hole in the core panel.

9. Likewise, Weber (U.S. Patent Number 3,341,395) teaches a method for production of panels (column 1, lines 13 - 19), comprising: separate shaping of outer panel skins and corrugated core (figure 2, elements 16 and 17; column 2, lines 10 and 15), shaping of the core including punching holes on the core, the diameter of the holes being greater than or equal to the maximum sheet blank bending radius (figure 3, element 38; column 2, lines 55 - 58). Note that this can be found because the diameter of holes 38 in figure 3 are illustrated as being much greater than the bend radius of the corrugated core. Weber further teaches connecting the core with the outer panel skins using an adhesive such that the core is placed between an upper outer panel skin and a lower outer panel skin to form a sandwich panel, the upper outer panel skin and the lower outer panel skin not in contact with each other (figure 2, elements 16 - 18; column 2, lines 10 - 15 and 37 - 42). Note that the use of an adhesive can be found because Weber teaches the outer panel skins being formed from a liquid plastic material, into which the core is placed into during the hardening process, thus adhesively bonding the outer skin panels to the core after hardening (column 2, lines 37 - 42). However, Weber does not teach the steps of marking intersecting zigzag and sawtooth bending lines into the core and obtaining a crimp profile of the core by bending the sheet blank along said zigzag and sawtooth lines.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER BESLER whose telephone number is (571)270-5331. The examiner can normally be reached on 7:30 - 5:00, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bryant David can be reached on (571) 272-4520. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHRISTOPHER BESLER/
Examiner, Art Unit 3726

/DAVID P. BRYANT/
Supervisory Patent Examiner, Art Unit 3726